

10/069527

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jialong YAO et al.

Serial No.: 10/069,527

Filed: March 6, 2002

Attorney Dckt. No.: P67678US0

For: SEEDLESS FRUIT PRODUCTION

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371****BOX PCT**Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231**Attention: APPLICATION BRANCH
MISSING PARTS OF APPLICATION**

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed May 10, 2002, copy attached.

- ☒ Substitute Declaration in compliance with 37 C.F.R. §1.63.
- ☐ Preliminary Amendment.
- ☐ Declaration in compliance with 37 C.F.R. §1.63, attached to copy of application as originally filed.
- ☐ Certified copy of _____ application No. _____, filed _____, the priority of which is claimed under 35 U.S.C. §119.
- ☐ An Assignment of the invention to: _____ together with the \$40 Recordation Fee, is being filed concurrently herewith.
- ☐ Small Entity Declaration under 37 C.F.R. §§1.9 and 1.27.
- ☒ Substitute Sequence Listing, two floppy disks, and transmittal.
- ☒ Information Disclosure Statement.
- ☐ Filing Fee, calculated as follows:

	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$355	\$710	= \$
Total Claims _ - = _	\$9 =	\$ 18	= \$
Indep. Claims _ - = _	\$42 =	\$ 84	= \$
<u>X</u> Surcharge - Late Filing	\$65	\$130	= \$130.00
___ Extension Fee under 37 CFR §1.17			

TOTAL FILING FEES \$130.00

A Check in the amount of \$130.00, is enclosed to cover the Surcharge for Late Filing. The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

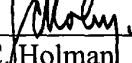
Respectfully submitted,

JACOBSON HOLMAN PLLC

07/05/2002 HKAYPAGH 00000068 10069527

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130.00 DP

By: 
 John C. Holman
 Reg. No. 22,769

Date: June 26, 2002

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PATENTS
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

Jialong YAO et al.

Serial No.: 10/069,527

Examiner: Unassigned

Filed: March 6, 2002

Group Art Unit: Unassigned

For: SEEDLESS FRUIT PRODUCTION

SUBMISSION OF SUBSTITUTE DECLARATION

Commissioner
of Patents
Washington, D.C. 20231

Sir:

Kindly place the attached Substitute Declaration in the above-captioned application. This Substitute Declaration overcomes the informalities in the originally filed Declaration.

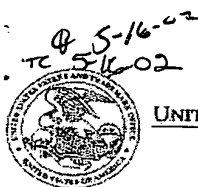
Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 

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Date: June 26, 2002
Attorney Docket No.: 6059/P67678US0
JCH:SKS:VJB



UNITED STATES PATENT AND TRADEMARK OFFICE

JCH

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/069,527	Jialong Yao	P67678USO

00136
JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

INTERNATIONAL APPLICATION NO.

PCT/NZ00/00176

I.A. FILING DATE	PRIORITY DATE
09/07/2000	09/07/1999

JACOBSON HOLMAN PLLC
Response Due On Or Before
7 / 10 / 02
Month Day Year

CONFIRMATION NO. 4563
371 FORMALITIES LETTER

OC00000008081926

Date Mailed: 05/10/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/069,527	PCT/NZ00/00176	P67678USO